

a State without a State income tax, and much of the State does not have a State sales tax. So it is hard to imagine why the Congress would be appropriating this particular money for this one State for this one particular situation, particularly when the expenditure is so open-ended.

In other words, this money could be spent for virtually anything. It could be spent to build roads anywhere. It could be spent to engage in a whole host of activities which would be contrary to sound environmental not less economic policy.

With all that in mind, Mr. Speaker, I think that it is prudent for us to join with those who have called this a taxpayer boondoggle and support the Vento motion.

Mr. VENTO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MCDADE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion to instruct.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Minnesota (Mr. VENTO).

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

#### CALL OF THE HOUSE

Mr. MCDADE. Mr. Speaker, may I explain to my colleagues that for the first time in 36 years, I am about to move a call of the House, and I only do so because the leadership on both sides is trying to get a rule up, so, therefore, Mr. Speaker, I move reluctantly a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 354]

#### ANSWERED "PRESENT"—403

Abercrombie	Bonior	Clayton
Ackerman	Bono	Clement
Aderholt	Borski	Clyburn
Allen	Boswell	Coble
Andrews	Boucher	Coburn
Armey	Boyd	Collins
Bachus	Brady (PA)	Combest
Baesler	Brady (TX)	Condit
Baker	Brown (CA)	Conyers
Baldacci	Brown (FL)	Cook
Ballenger	Brown (OH)	Cooksey
Barcia	Bryant	Costello
Barr	Bunning	Cox
Barrett (NE)	Burr	Coyne
Barrett (WI)	Burton	Cramer
Bartlett	Buyer	Crane
Barton	Calvert	Crapo
Bass	Camp	Cubin
Becerra	Campbell	Cummings
Bentsen	Canady	Cunningham
Bereuter	Cannon	Danner
Berry	Capps	Davis (FL)
Bilirakis	Cardin	Davis (IL)
Blagojevich	Carson	Davis (VA)
Bliley	Castle	Deal
Blumenauer	Chabot	DeFazio
Blunt	Chambliss	DeGette
Boehlert	Chenoweth	Delahunt
Boehner	Christensen	DeLauro
Bonilla	Clay	Deutsch

Diaz-Balart	Kelly	Peterson (PA)
Dickey	Kennedy (MA)	Petri
Dicks	Kennedy (RI)	Pickering
Dingell	Kennelly	Pickett
Dixon	Kildee	Pitts
Doggett	Kilpatrick	Pombo
Dooley	Kim	Pomeroy
Doolittle	Kind (WI)	Porter
Doyle	King (NY)	Portman
Dreier	Kingston	Poshard
Duncan	Klecza	Price (NC)
Dunn	Klink	Quinn
Ehlers	Klug	Radanovich
Ehrlich	Knollenberg	Rahall
Emerson	Kolbe	Ramstad
Engel	Kucinich	Rangel
English	LaFalce	Redmond
Ensign	LaHood	Regula
Eshoo	Lampson	Reyes
Etheridge	Largent	Riggs
Evans	Latham	Rivers
Everett	LaTourette	Rodriguez
Ewing	Lazio	Roemer
Farr	Leach	Rogers
Fattah	Lee	Rohrabacher
Fazio	Levin	Ros-Lehtinen
Filner	Lewis (CA)	Rothman
Foley	Lewis (GA)	Roukema
Forbes	Lewis (KY)	Roibal-Allard
Ford	Lipinski	Royce
Fossella	Livingston	Rush
Fowler	LoBiondo	Ryun
Fox	Lofgren	Sabo
Franks (NJ)	Lowe	Salmon
Frelinghuysen	Lucas	Sanchez
Frost	Luther	Sanders
Furse	Maloney (CT)	Sandlin
Gallegly	Maloney (NY)	Sanford
Ganske	Manton	Sawyer
Gejdenson	Manzullo	Saxton
Gephardt	Markey	Schaefer, Dan
Gibbons	Martinez	Schaffer, Bob
Gilchrest	Mascara	Schumer
Gillmor	Matsui	Scott
Gilman	McCarthy (MO)	Sensenbrenner
Goode	McCarthy (NY)	Serrano
Goodlatte	McCollum	Sessions
Goodling	McCrery	Shadegg
Goss	McDade	Shaw
Graham	McDermott	Shays
Granger	McGovern	Sherman
Green	McHale	Shimkus
Greenwood	McHugh	Shuster
Gutierrez	McInnis	Sisisky
Gutknecht	McIntosh	Skaggs
Hall (OH)	McIntyre	Skeen
Hall (TX)	McKeon	Skelton
Hamilton	McKinney	Slaughter
Hansen	McNulty	Smith (MI)
Hastert	Meehan	Smith (NJ)
Hastings (FL)	Meek (FL)	Smith (OR)
Hastings (WA)	Meeks (NY)	Smith (TX)
Hayworth	Menendez	Smith, Adam
Hefley	Metcalfe	Smith, Linda
Hefner	Mica	Snowbarger
Herger	Millender-McDonald	Snyder
Hill	Miller (CA)	Solomon
Hilleary	Miller (FL)	Souder
Hilliard	Minge	Spence
Hinchoy	Mink	Spratt
Hinojosa	Mollohan	Stabenow
Hobson	Moran (KS)	Stearns
Hoekstra	Moran (VA)	Stenholm
Holden	Morella	Stokes
Hooley	Murtha	Strickland
Horn	Myrick	Stump
Hostettler	Nadler	Stupak
Houghton	Nethercutt	Sununu
Hoyer	Neumann	Talent
Hulshof	Ney	Tauscher
Hunter	Northup	Tauzin
Hutchinson	Oberstar	Taylor (MS)
Hyde	Obey	Taylor (NC)
Inglis	Olver	Thomas
Istook	Ortiz	Thompson
Jackson (IL)	Oxley	Thornberry
Jackson-Lee	Packard	Thune
(TX)	Pallone	Thurman
Jefferson	Pappas	Tiahrt
Jenkins	Parker	Tierney
John	Pascarella	Torres
Johnson (CT)	Pastor	Towns
Johnson (WI)	Paul	Trafigant
Johnson, E. B.	Paxon	Turner
Johnson, Sam	Payne	Upton
Jones	Pease	Velazquez
Kanjorski	Pelosi	Vento
Kaptur	Peterson (MN)	Visclosky
Kasich		Walsh

Wamp	Weller	Wilson
Waters	Wexler	Wise
Watkins	Weygand	Wolf
Watt (NC)	White	Woolsey
Watts (OK)	Whitfield	Wynn
Weldon (PA)	Wicker	Young (AK)

□ 2225

The SPEAKER pro tempore (Mr. LAHOOD). On this rollcall, 403 Members have recorded their presence by electronic device, a quorum.

Under the rule, further proceedings under the call are dispensed with.

#### APPOINTMENT OF CONFEREES ON H.R. 4060, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 4060: Messrs. MCDADE, ROGERS, KNOLLENBERG, FRELINGHUYSEN, PARKER, CALLAHAN, DICKEY, LIVINGSTON, FAZIO of California, VISCLOSKEY, EDWARDS, PASTOR and OBEY.

There was no objection.

#### LEGISLATIVE PROGRAM

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, I ask for this time for the purpose of reporting on the schedule.

Mr. Speaker, let me begin by saying I appreciate all the Members for their patience. Working this time of the year in appropriations season is always difficult, we know. We are about to begin consideration of a rule for the transportation appropriations bill.

We have a little bit of difficulty with that bill, but the principals who are involved in it are, in fact, actively, and I think effectively, working towards a solution of that. So I would suggest that we could move forward with the rule and then by the time we have the vote on the rule I am sure we will be ready to begin our work and complete our work on transportation.

Mr. BONIOR. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I am happy to yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, if I might say to the majority leader, most folks have been working on both sides of the aisle. We are going on probably the 14th hour of a workday today. In addition to that, we have had an extraordinary week, an emotional and stressful week, as we all know. Folks have been working long hours and long shifts, including the Capitol Police, as the gentleman is fully aware and appreciates.

I do not know what we gain by going into at 10:30 in the evening a contentious rule that has not been worked out yet, and even if it is worked out I am not sure that we are in a position to even proceed on the appropriation bill itself.

I am cognizant of the pressures that the majority has with respect to finishing these appropriation bills, and I can appreciate that having once been in the majority, but I think I would say to my friend, the gentleman from Texas, that in consultation with many of my colleagues on both sides of the aisle, I think they have expressed a desire to me anyway that the prudent thing today and this evening would be to leave and come back and start fresh after the funeral in the morning.

I would just offer that to my friend, the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, let me thank the gentleman for suggesting that. I appreciate the gentleman for his concern, not only for the Members but for the staff, in particular our Capitol Police who are still standing their stations around the Capitol. It is because we, as a group, have clearly indicated our desire, rightly so, to spend the time tomorrow and then again on Friday in attendance to these very important funerals, that we feel the compulsion to complete the work as best we can this week and to try to do so in maximum consideration of all people.

I just would like to assure the gentleman from Michigan that all of these matters are of concern to me and I am working the best I can.

□ 2230

We are ready now, though, to begin to move forward on the rule; and given the progress that I am confident I am seeing with the gentleman from New York (Mr. NADLER) and others, I think we can be confident we can complete our work tonight and all get some rest.

I thank the gentleman.

#### REPORT ON RESOLUTION PROVIDING SPECIAL INVESTIGATIVE AUTHORITY FOR THE COMMITTEE ON EDUCATION AND THE WORKFORCE

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 105-658) on the resolution (H. Res. 507) providing special investigative authority for the Committee on Education and the Workforce, which was referred to the House Calendar and ordered to be printed.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3262

Mr. FROST. Mr. Speaker, I ask unanimous consent to remove my name as cosponsor of H.R. 3262.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 4328, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call

up House Resolution 510 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 510

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4328) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 7 of rule XXI or section 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with “, of which”, on page 11, line 19, through “Fund” on line 20; page 16, lines 20 through 24; beginning with “: Provided” on page 18, line 2, through “motor carriers” on line 5; and page 54, lines 4 through 8. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Dallas, Texas (Mr. FROST), my friend, and pending that I yield myself such time as I may consume. Mr. Speaker, all time that I will be yielding will be for debate purposes only.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks and to include extraneous material in the RECORD on the resolution now being considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DREIER. Mr. Speaker, this rule makes in order H.R. 4328, the Department of Transportation and Related Agencies Appropriations Bill for fiscal year 1999 under an open rule containing a number of noncontroversial waivers against points of order. The rule also self-executes two noncontroversial changes in the bill, of which one is technical in nature.

I would like to commend the gentleman from Virginia (Mr. WOLF), chairman of the Subcommittee on Transportation, as well as the gentleman from Louisiana (Mr. LIVINGSTON), chairman of the full committee, and the other members of the committee for the tremendous job that they did in producing a bill that adequately funds our Nation's priorities within the constraints imposed by both the Balanced Budget Act of 1997 and the Transportation Equity Act of 1998.

Although 70 percent of the bill consists of spending mandated by the T.E.A. 21, resulting in a substantial increase in funding for highway and transit programs, the subcommittee was also able to increase funding for drug interdiction efforts and transportation safety programs.

A total of \$406 million is provided for Coast Guard counter-drug activities, an increase of \$73.8 million over the President's request. Funding to reduce fatalities on the Nation's roadways is increased by more than 8 percent.

Despite this balanced effort, I find it hard to believe that the administration, which signed the T.E.A. 21 bill into law, could be critical of the funding levels that are in this appropriations bill. Unfortunately, this seems to be par for the course for an administration that proposes to pay for more government spending with \$9 billion in new taxes and user fees that are political nonstarters.

Mr. Speaker, the Committee on Appropriations produced a fair and balanced bill, and the Committee on Rules was equal to the task of reporting this rule. Therefore, I urge adoption of both the rule and the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FROST asked and was given permission to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, it is my intention to make a fairly brief opening statement and then to yield back all of our time in an effort to try and move this along.

Mr. Speaker, while I rise in support of this rule and this bill making appropriations for the Department of Transportation for fiscal year 1999, I am concerned that a point of order may lie